

REMARKS

As a preliminary matter, the Examiner yet again requests an English-language translation of the foreign priority document. Applicants submit that this document was previously submitted along with the Response dated August 10, 2004, and Applicants submit the PTO-stamped filing receipt as proof of previous submission.

Also, the Examiner objects to the drawings for the reasons set forth on pages 9-10 of the present Office Action. Based on the proposed changes to the claims, as set forth herein, Applicants believe that the drawing objections are obviated.

Claims 1-9 are all the claims pending in the present application. The Examiner maintains many of the same rejections set forth in the previous Office Action, and adds new arguments in the Response to Arguments section of the present Office Action. Specifically, claims 1 and 7-9 are rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. The previously filed Amendment is objected to under 35 U.S.C. § 132 as allegedly introducing new matter into the disclosure of the invention. Claim 1 is rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Claims 1 and 4-6 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Claims 1-3 and 9 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Menzies et al. (U.S. Patent No. 6,317,748). Claim 4 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Menzies in view of Skog et al. (U.S. Patent No. 6,385,650). Claims 5 and 6 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Menzies in view of Collin et al. (U.S. Patent No. 6,687,761). Finally, claims 7 and 8 are rejected under 35 U.S.C. §

103(a) as allegedly being unpatentable over Menzies in view of Fiszmann et al. (U.S. Patent No. 6,115,646).

§ 101 Rejections – Claims 1 and 7-9

The Examiner maintains the rejections of claims 1 and 7-9 for the reasons set forth on page 9 of the present Office Action. In an effort to advance prosecution, in the previous Amendment, Applicants amended claims 1-9 to recite a "computer readable recording medium," however this amendment did not persuade the Examiner to withdraw the § 101 rejections. Applicants do not believe that the Examiner's rejection is tenable. Accordingly, Applicants submit that the Examiner has not established that the subject matter of claims 1 and 7-9 is non-statutory. That is, Applicants submit that the claimed process is limited to a practical application of an idea in the technological arts, and thus produces a concrete, tangible, and useful result. The method as set forth in the claims, for example, are directed to implementing a tree of distributed objects in different processes. Thus, a concrete and tangible result of the claimed method is that a tree of distributed objects in different processes is implemented. A useful result of the claimed method is, for example, that problems of redundancy at the central directory level can be managed. *See page 3, lines 28-34.*

§ 132 Rejections – Claims 1-9

Applicants amend claims 1-9, as indicated herein, and Applicants believe that these amendments obviate the rejections of claims 1-9 under 35 U.S.C. § 132.

§ 112, first paragraph, Rejection – Claim 1

Applicants believe that the amendment to claim 1 obviates the rejection of claim 1 under 35 U.S.C. § 112, first paragraph.

§ 112, second paragraph, Rejections – Claims 1 and 4-6

Applicants believe the amendments to claims 1 and 4-6, as indicated herein, obviate the rejection of claim 1 under 35 U.S.C. § 112, second paragraph.

Applicants respectfully request that the Examiner grant us an interview if he does not find that the amendments overcome the 35 U.S.C. § 112 rejections, or if the Examiner maintains the rejections under 35 U.S.C. § 101.

§ 102(e) Rejections (Menzies) – Claims 1-3 and 9

With respect to independent claim 1, in the previous Amendment, Applicants argued the following:

The Examiner generally cites different portions of Menzies as allegedly satisfying the limitations set forth in claim 1. However, the Examiner fails to demonstrate that Menzies satisfies specific elements and limitations set forth in claim 1. For example, the Examiner cites column 3, lines 27-35, column 4, lines 51-64, and column 1, lines 15-25, as allegedly satisfying the central directory adapted to store information on objects in a data structure at a root of the tree, however nowhere in the cited portions is such a central directory described. Furthermore, there is no such description of a central adapted to store information on objects in a data structure at a root of the tree. Column 4, lines 51-64 simply discusses what program modules can be stored on, what a user may use to enter commands, and what type of device can be used to display information. However, there is no such mention of the claimed central directory, as set forth in claim 1.

In the present Office Action, in the *Response to Arguments* section, the simply alleges that the cited portions of Menzies discusses the use of a repository. However, Applicants maintain the previous submitted arguments, and submit that the alleged repository does not store information on objects in a data structure at a root of the tree.

Further, Applicants previously argued:

Yet further, nowhere does Menzies teach the operation of assigning to a father object in a process, for each of one or more son objects, information corresponding to a physical address if at least one of said each of one or more son objects is contained in a same process. That is, column 15, lines 36-54 does not teach the above-discussed operation of assigning, but only appears to simply discuss how a particular tree is traversed. Moreover, Menzies certainly does not teach the particular condition of assigning information corresponding to a physical address if at least one of said each of one or more son objects are contained in a same process. Moreover, the Examiner has not even identified which aspects or components of Menzies correspond to the claimed “father object,” “son object,” or “same process,” respectively.

In response, in the present Office Action, the Examiner still does not identify the claimed “father object,” “son object,” or “same process,” as recited in claim 1. Therefore, Applicants maintain the previous arguments.

Applicants submit that dependents claims 2, 3, and 9 are patentable at least by virtue of their dependency from independent claim 1.

Further, with respect to claim 2, Applicants maintain the previous arguments and submit that the Examiner does not even address the specific limitation, “if said logical name is not in the central directory, the central directory searches for a logical name with a longest character string equal to a first part of the character string of the logical name received, in order to send to said father object the request, by providing said father object with information corresponding to the logical access path of the first object relative to said father object,” as recited in claim 2.

Further, with respect to claim 3, in the previous Amendment, Applicants argued that Menzies does not teach that a father object receives a request and sends the request to a first

object based on the specific conditions set forth in claim 3. The Examiner does not address this argument in the *Response to Arguments* section.

§ 103(a) Rejection (Menzies / Skog) – Claim 4

First, Applicants maintain that dependent claim 4 is patentable at least by virtue of its dependency from independent claim 1. Skog does not make up for the deficiencies of Menzies.

Further, with respect to claim 4, in the *Response to Arguments* section of the present Office Action, it appears that the Examiner believes that Applicants are discussing only one of the applied references. In response, Applicants reiterate that Applicants do not believe that the applied references, either alone or in combination, disclose or suggest the features set forth in claim 4. In discussing a particular reference, Applicants are only responding to the Examiner's specific arguments with respect to that particular reference.

§ 103(a) Rejections (Menzies / Collin) – Claims 5 and 6

First, Applicants maintain that dependent claims 5 and 6 are patentable at least by virtue of their respective dependency from independent claim 1. Collins does not make up for the deficiencies of Menzies.

Further, with respect to claim 5, in the *Response to Arguments* section of the present Office Action, it appears that the Examiner believes the features recited in claim 5 are “well known.” In response, Applicants maintain the arguments set forth in the previous Amendment, and submit that the Examiner has not demonstrated that the applied references, either alone or in combination, disclose or suggest the features set forth in claim 5.

§ 103(a) Rejections (Menzies / Fiszmann) – Claims 7 and 8

First, Applicants submit that dependent claims 7 and 8 are patentable at least by virtue of their dependencies from independent claim 1. Fiszman does not make up for the deficiencies of Menzies.

Further, with respect to claim 7, it appears that the Examiner believes that Applicants were arguing that only one of the references does not satisfy the features of claim 7. In response, Applicants maintain the arguments set forth in the previous Amendment, and reiterate that neither of the applied references, either alone or in combination, discloses or suggests the specific features of claim 7.

Request for Interview

As indicated above, Applicants respectfully request an interview in an effort to resolve §112 and §101 issues.


In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.116
U. S. Application No. 09/701,653

ATTORNEY DOCKET NO. Q61879

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Kelly G. Hyndman
Reg. No. 39,134

Diallo T. Crenshaw
Registration No. 52,778

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

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